

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ELIZABETH TRAUGOTT,	§	
<i>Plaintiff,</i>	§	
	§	
V.	§	CIVIL ACTION NO. 5:19-CV-00825
	§	
HILL COUNTRY FURNITURE	§	JURY DEMANDED
PARTNERS, LTD & HILL COUNTRY	§	
HOLDINGS, LLC	§	
<i>Defendants.</i>	§	
	§	
	§	

PLAINTIFF ELIZABETH TRAUGOTT’S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES ELIZABETH TRAUGOTT, Plaintiff, and files this her Original Complaint against HILL COUNTRY FURNITURE PARTNERS, LTD. and HILL COUNTRY HOLDINGS, LLC (hereinafter referred to as “Defendants”), their affiliates, subsidiaries, and other related entities, under any name by which they are known, and for her causes of action would show the Court as follows:

PARTIES

1. Plaintiff ELIZABETH TRAUGOTT is a Texas citizen and resident of Comal County, Texas and a former employee of the Defendants.
2. Defendant HILL COUNTRY FURNITURE PARTNERS, LTD. is a domestic limited partnership corporation with its principal place of business in Comal County, Texas. Defendant may be served by personal service or by certified mail, return-receipt requested upon its registered agent for service of process, Gary Seals, 1431 F.M. 1101,

New Braunfels, TX 78130.

3. Defendant HILL COUNTRY HOLDINGS, LLC is a domestic limited liability company with its principal place of business in Comal County, Texas. Defendant may be served by personal service or by certified mail, return-receipt requested upon its registered agent for service of process, C T Corporation System, 1999 Bryan St. Suite 900, Dallas, TX 75201-3136.
4. Defendants HILL COUNTRY FURNITURE PARTNERS, LTD. and HILL COUNTRY HOLDINGS, LLC are referred to collectively throughout this Original Complaint as “the Company” or “the Defendants.”
5. At all times relevant to this suit, Defendants HILL COUNTRY FURNITURE PARTNERS, LTD. and HILL COUNTRY HOLDINGS, LLC acted as a single integrated enterprise and jointly employed Plaintiff TRAUGOTT. The Defendants have interrelation of operations, centralized control of labor relations, common management and common ownership or financial control.

JURISDICTION AND VENUE

6. The Court’s exercise of jurisdiction over this suit is proper pursuant to the Fair Labor Standards Act, 29 U.S.C. § 207, 28 U.S.C. § 1331, and 28 U.S.C. § 1337.

VENUE

7. Venue is proper in the San Antonio Division. All or a substantial part of the events or omissions giving rise to Plaintiff’s claims occurred in the San Antonio Division of the Western District of Texas.

STATEMENT OF CLAIMS

8. This is an action seeking actual damages, restitution, attorneys' fees, statutory penalties and/or liquidated damages, costs and interest against the named Defendants and anyone acting in concert with them for multiple violations of the Fair Labor Standards Act (hereinafter "the Act"), 29 U.S.C. §§ 207 and 216.
9. Plaintiff was hired by the Defendant in or about October 14, 2014.
10. At all times relevant to this action, Plaintiff was employed by Defendants within the meaning of the FLSA, 29 U.S.C. §§ 203(d) and 203(g).
11. During the relevant time period, Plaintiff's job title was Executive Assistant. As an Executive Assistant, Plaintiff was responsible for filing, scheduling, and other clerical tasks in furtherance of her superiors at Defendants.
12. The Defendants failed to pay the Plaintiff one-and-a-half times her regular hourly rate for the hours that Plaintiff worked in excess of forty hours in each discrete workweek in violation of 29 U.S.C. § 207.
13. Plaintiff was not paid overtime for hours worked in excess of forty (40) hours per week. Plaintiff was required to work fifty-five (55) hours each week.
14. Defendants' failure to pay Plaintiff as specified above was willful.
15. On or about March 1, 2019, Plaintiff's employment was terminated by the Defendants.
16. Plaintiff is informed and believes that the Defendants follow similar unlawful pay practices with regard to many of their other nonexempt employees.
17. Because of the violations noted above, the Defendants are liable to the Plaintiff in an amount equal to the unpaid overtime wages, plus an equal amount in liquidated damages, plus all other applicable penalties, attorneys' fees and costs of court, according to proof.

JURY DEMAND

18. Plaintiff respectfully demands that this Court impanel a lawful jury to hear this case.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff ELIZABETH TRAUGOTT prays that the Defendants be cited to appear and to answer herein and that upon final hearing, the Court enter judgment in favor of Plaintiff against Defendants in an amount in excess of the minimum jurisdictional limits of this Court, for actual damages, liquidated damages, statutory penalties, reasonable attorneys' fees, expert fees, other litigation expenses, costs of court, and pre- and post-judgment interest at the highest rate allowed by law, and for such other and further relief, general or special, at law or in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

By: 
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State Bar No. 00795516

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